

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 212

THURSDAY, 20 AUGUST 2020

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Message from the Deputy of the Governor — Assent to Bill

The President reported the receipt of a Message from the Deputy of the Governor assenting to the following Bill —

18 August 2020 — Message No. 32	Act No.
Workers' Compensation and Injury Management Amendment (COVID-19 Response) Bill 2020	31 of 2020

3. Petition

Hon Alison Xamon presented a petition from 462 petitioners requesting the Legislative Council to oppose the application of change in land use to stop the establishment of a tavern in Iluka Plaza. (Tabled Paper 4140).

4. Ministerial Statement — Chilled Meat Shelf Life Restrictions in the Middle East

The Minister for Agriculture and Food made a Ministerial Statement with respect to recent changes to chilled meat shelf life restrictions in the Middle East, which has the potential to significantly increase exports to this market.

5. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Waste Management — Service Delivery (Report No. 3) (August 2020)..... 4136

Leader of the House

Annual Reports —

Public Education Endowment Trust (2019-20) (Date received 19/08/2020)..... 4137

Minister for Environment

Annual Reports —

Police Force, Western Australia — Surveillance Devices Act 1998 (2019-20)
(Date received 19/08/2020)..... 4138

Annual Reports — Extension of Time —

Landgate Annual Report (2019-20) 4139

6. Standing Committee on Environment and Public Affairs — Report 53 — Overview of Petitions 1 July 2018 to 31 December 2018

Hon Matthew Swinbourn presented Report 53 of the Standing Committee on Environment and Public Affairs, *Overview of Petitions 1 July 2018 to 31 December 2018*. (Tabled Paper 4141).

7. Third Party Appeal Rights

Hon Charles Smith: To move on the next day of sitting —

That this House —

- (a) acknowledges the current deficiency in community consultation and the absence of third party appeal rights in planning and development processes and decisions during the COVID-19 emergency period; and
- (b) notes the consequential erosion of Western Australia's democracy.

8. Social Housing in Western Australia

Non-Government Business No. 1 having been called, Hon Colin Tincknell moved, without notice —

That this House acknowledges the shameful policies of the McGowan Government that have led to a tragic rise in the number of homeless Western Australians and a large reduction in the quantity and quality of social housing dwellings available to Western Australians.

Debate ensued.

Motion lapsed.

9. United Nations Treaty on the Prohibition of Nuclear Weapons

Private Members' Business No. 1 having been called, Hon Matthew Swinbourn moved, without notice —

That this House notes the 75th anniversaries of the atomic bombings of Hiroshima and Nagasaki was observed on 6 and 9 August 2020, respectively and further notes —

- (a) that the coronavirus pandemic starkly demonstrates the urgent need for greater international cooperation to address all major threats to the health and welfare of humankind, including the paramount threat of nuclear war;
- (b) that close to 14,000 nuclear weapons are held between 9 nations, presenting an unacceptable risk to humanity;
- (c) the concerning trend in weakening or undermining arms control agreements by nuclear-armed states including: the Iran deal; the Intermediate-Range Nuclear Forces Treaty; and the Open Skies Treaty;
- (d) the substantial progress towards entry-into-force of the 2017 UN Treaty on the Prohibition of Nuclear Weapons (TPNW), which will comprehensively outlaw nuclear weapons and provide a pathway to elimination; and
- (e) that Australia work towards signing and ratifying the TPNW, in line with our international obligations to pursue the elimination of these illegitimate weapons of mass destruction.

Debate ensued.

Motion lapsed.

10. COVID-19 Response and Economic Recovery Omnibus Bill 2020

The Order of the Day having been read for the adjourned debate on the second reading of this Bill.

Debate resumed.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Matthew Swinbourn in the Chair)

Clause 1.

Debate ensued.

11. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Sport and Recreation, by leave, incorporated into *Hansard* information in relation to the Community Sporting and Recreation Facilities Fund, in response to a question without notice asked by Hon Peter Collier.

The Minister for Regional Development representing the Minister for Forestry tabled documents in relation to log production from Crown land and private property in 2018-19, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 4142).

The Leader of the House representing the Premier, by leave, incorporated into *Hansard* information in relation to the disclosure of privileged and confidential legal advice given in 2014, in response to a question without notice asked by the Hon Peter Collier on behalf of Hon Michael Mischin.

The Parliamentary Secretary to the Minister for Mental Health, by leave, incorporated into *Hansard* information in relation to the Chief Psychiatrist's review of mental health services for children and young people, in response to a question without notice asked by Hon Alison Xamon.

12. President's Statement — Government Response to Private Members' Business

The President made the following statement —

During Private Members' Business today the Honourable Dr Steve Thomas enquired whether there would be a Government response to the motion before the House. Standing Order 112 sets out the rules concerning Private Members' Business. While from time to time a Minister or Parliamentary Secretary might make a contribution during Private Members' Business, particularly where the motion relates to business of the Government, the Standing Orders do not contain a requirement for a Government response.

13. COVID-19 Response and Economic Recovery Omnibus Bill 2020

Resumption of consideration of this Bill in Committee of the Whole House (*see item 10 above*).

The President left the Chair.

In Committee

(Hon Robin Chapple in the Chair)

Clause 1.

Debate resumed.

Interruption pursuant to order.

The Acting President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

14. Members' Statements

Statements were taken.

Hon Alison Xamon, by leave, tabled an article from *The Guardian* newspaper entitled "WA police officer escaped sanction for shocking force against Indigenous boy". (Tabled Paper 4143).

15. Road Traffic Amendment (Immobilisation, Towing and Detention of Vehicles) Bill 2020

The President reported the receipt of Message No. 214 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Environment representing the Minister for Transport moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Environment representing the Minister for Transport moved, That the Bill be read a second time.

The Minister for Environment representing the Minister for Transport tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 4144).

Debate stands adjourned.

16. Industrial Relations Legislation Amendment Bill 2020

The President reported the receipt of Message No. 216 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Regional Development representing the Minister for Industrial Relations moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Regional Development representing the Minister for Industrial Relations moved, That the Bill be read a second time.

The Minister for Regional Development representing the Minister for Industrial Relations tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 4145).

Debate stands adjourned.

17. Adjournment

The Council adjourned at 6.09pm until Tuesday, 8 September 2020 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Donna Faragher, Hon Colin Holt and Hon Michael Mischin.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council